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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/761,596	01/16/2001	Klaus Schulz	IT-206 US	5810

7590 10/24/2003

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EXAMINER

VU, PHUONG T

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 10/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/761,596	SCHULZ ET AL. <i>MW</i>	
Period for Reply	Examiner	Art Unit	
	Phuong T. Vu	2841	
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.			
<ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 			
Status			
1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>31 July 2003</u> .			
2a) <input checked="" type="checkbox"/> This action is FINAL . 2b) <input type="checkbox"/> This action is non-final.			
3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.			
Disposition of Claims			
4) <input checked="" type="checkbox"/> Claim(s) <u>10-20</u> is/are pending in the application.			
4a) Of the above claim(s) _____ is/are withdrawn from consideration.			
5) <input type="checkbox"/> Claim(s) _____ is/are allowed.			
6) <input checked="" type="checkbox"/> Claim(s) <u>10-20</u> is/are rejected.			
7) <input type="checkbox"/> Claim(s) _____ is/are objected to.			
8) <input type="checkbox"/> Claim(s) _____ are subject to restriction and/or election requirement.			
Application Papers			
9) <input type="checkbox"/> The specification is objected to by the Examiner.			
10) <input type="checkbox"/> The drawing(s) filed on _____ is/are: a) <input type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).			
11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.			
12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.			
Priority under 35 U.S.C. §§ 119 and 120			
13) <input checked="" type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).			
a) <input checked="" type="checkbox"/> All b) <input type="checkbox"/> Some * c) <input type="checkbox"/> None of: 1. <input checked="" type="checkbox"/> Certified copies of the priority documents have been received. 2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____ . 3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.			
14) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) <input type="checkbox"/> The translation of the foreign language provisional application has been received.			
15) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.			
Attachment(s)			
1) <input type="checkbox"/> Notice of References Cited (PTO-892)		4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .	
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)	
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .		6) <input type="checkbox"/> Other: _____ .	

DETAILED ACTION

Drawings

1. The corrected or substitute drawings showing Prior Art figures 5-6 were received on July 31, 2003. These drawings have been approved.
2. It is requested that Applicant provide another set of drawing figures 1-4 as the originally submitted drawing figure pages have black vertical marks extending the length of said pages.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 10-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flickinger et al. (US 6,517,382B2). Regarding claim 10, the reference discloses a housing 20 for pluggably receiving a component, the housing comprising a housing part forming an interior for pluggably receiving a component, and at least one pressing spring 30 that is deflected when the component is inserted into said interior of said housing part creating a prestress opposite a direction of insertion opposing insertion of said component. The reference does not teach that said at least one pressing spring has a length and a width that tapers as said length extends into said interior of said housing part, however those skilled in the art would recognize that providing angled or

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tapered contact springs provides more resiliency for better contact between the springs and their intended contact device for more reliable grounding and shielding.

Regarding claims 11, 13 the reference does not teach that the pressing spring is in a trapezoidal, triangular or parabolic shape, however, matters relating only to shape which have no impact on mechanical function cannot be relied upon to patentably distinguish the claimed invention from the above-mentioned configuration which teaches providing a pressing spring which has a length and width that tapers. In re Seid, 161 F.2d 229, 73 USPQ 431 (CCPA 1947).

Regarding claim 12, the package part has side walls and said pressing spring has two parallel sides running parallel to said side walls of said package part.

Regarding claim 14, said package part has a first end and a second end remote from said first end, said first end defines a location for pluggably receiving the component, said pressing spring is designed as a continuation of said package part at said second end and said pressing spring is bent by more than 90 degrees into said interior of said package part.

Regarding claim 15, said continuation is formed integrally with said package part.

Regarding claim 16, said package part includes an upper part 22 and a lower part 24 designed for connection to a printed circuit board 10 and said pressing spring is articulated on said lower part.

Regarding claim 17, said package part includes a right-hand wall and a left-hand wall, said at least one pressing spring includes a first pressing spring articulated on said

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right-hand wall of said package part and a second pressing spring articulated on said left-hand wall of said package part.

Regarding claim 18, said right-hand wall includes an upper region and said left-hand wall includes an upper region, said first pressing spring is articulated in said upper region of said right-hand wall and said second pressing spring is articulated in said upper region of said left-hand wall.

Regarding claim 19, said package part has an upper edge, said first pressing spring has a leg articulated on said right-hand wall and terminating flush with said upper edge of said package part and said second pressing spring has a leg articulated on said left-hand wall and terminating flush with said upper edge of said package part.

Regarding claim 20, the component is an optoelectronic transceiver.

Response to Arguments

5. Applicant's arguments filed July 31, 2003 have been fully considered.

Regarding the submitted copies of cover pages of US Patents which correspond to the DE references cited on the first page of the IDS, the examiner has reviewed the corresponding US Patents, however in order for these documents to be officially considered, Applicant is advised to file another IDS. A proper information disclosure statement filed requires a list of all patents, publications, or other information submitted for consideration by the Office and a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement

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or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e).

See MPEP § 609 ¶ C(1).

Applicant's arguments with respect to the claims in view of the Hirata et al. reference have been considered but are moot as this rejection has been withdrawn due to Applicant's amendment of claim 10.

Regarding the rejection based on Flickinger, Applicant states that the reference provides no disclosure or suggestion of using a pressing spring having a length and a width that tapers for obtaining a greater prestress. The contact springs shown in the reference inherently create a prestress opposite a direction of insertion opposing insertion of said component, which is the only limitation concerning the prestress required by the claim. Furthermore, as noted in the above rejection, those skilled in the art would recognize that modifying the contact springs so that they are angled or tapered would provide the contact springs with more resiliency for better contact between the contact springs and their intended contact device for more reliable grounding and shielding. It is not necessary to show that the contact springs were modified for obtain a greater prestress as in the present invention. It is only required that a motivation is provided for modifying the contact springs as noted above.

Conclusion

6. The rejection in view of Flickinger set forth above now includes a rejection of all claims 10-20. The substance of the rejection has not been essentially changed.

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong T. Vu whose telephone number is (703) 308-0303. The examiner can normally be reached on Mon. & Tues., 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David S. Martin can be reached on (703) 308-3121. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

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PTVu
Patent Examiner
October 22, 2003